



December 1, 2010

KENNETH L. MICKENS, ESQUIRE LLC
LEGAL CONSULTING

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VIA HAND DELIVERY

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

**Re: Petition of UGI Utilities, Inc. Electric Division
for Approval of its Energy Efficiency and
Conservation Plan
Docket No. M-2010-2210316**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission are an original and three (3) copies of the Petition to Intervene of the Sustainable Energy Fund of Central Eastern Pennsylvania ("SEF") in the above-captioned proceeding. I have enclosed the Affidavit of Jennifer Hopkins, the President of SEF. Please contact me if you have any questions.

Sincerely

Kenneth L. Mickens, Esquire
Attorney for the Sustainable
Energy Fund of Central Eastern
Pennsylvania

KLM/bls
Certificate of Service
Enclosures

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Petition of UGI Utilities, Inc. - :
Electric Division for Approval of : **Docket No. M-2010-2210316**
Its Energy Efficiency and :
Conservation Plan :

**PETITION TO INTERVENE OF
THE SUSTAINABLE ENERGY FUND OF
CENTRAL EASTERN PENNSYLVANIA**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

The Sustainable Energy Fund of Central Eastern Pennsylvania (“SEF”), by and through its attorney, Kenneth L. Mickens, hereby files this Petition to Intervene in the above-captioned proceeding pursuant to 52 Pa. Code § 5.71, *et. seq.* In support of its intervention, SEF avers as follows:

I. BACKGROUND

1. On November 9, 2010, UGI Utilities, Inc. – Electric Division (“UGI Electric” or “Company”) filed with the Pennsylvania Public Utility Commission (“Commission”) a voluntary Energy Efficiency and Conservation Plan (“EE&C Plan”). On November 14, 2008, Act 129¹

¹ Act 129 of 2008, P.L. 1592, 66 Pa. C.S. §§ 2806.1 and 2806.2 (“Act 129”).

became law in Pennsylvania and was made applicable to EDCs with at least 100,000 customers. Although Act 129 does not require the filing of an EE&C Plan by EDCs with less than 100,000 customers, the Commission has recognized by Secretarial Letter dated December 23, 2009, that the implementation of energy efficiency and conservation measures can assist all electric customers in mitigating retail electric rate increases and ensure affordable and available electric service. UGI Electric² has filed its voluntary EE&C Plan in response to the Commission's Secretarial Letter.

2. UGI Electric states in its Petition that its "portfolio of programs is designed to provide customer benefits and to meet targeted energy consumption reduction goals established by UGI Electric to be reasonably achievable. In particular, these programs are designed to achieve an energy consumption reduction goal of 1% per year on UGI Electric's system through 2014. In addition, UGI Electric anticipates that its Plan will produce peak load reductions, although the Company did not design the EE&C programs with the intent of achieving specific peak load reduction targets."³

3. SEF is a Pennsylvania corporation established at the conclusion of PPL Electric's Restructuring proceeding and pursuant to the terms of the

² UGI Electric has 62,000 customers in Pennsylvania. UGI Electric Petition, p. 2.

³ UGI Electric Petition, p. 5.

Joint Settlement of that proceeding, approved by the Commission's August 27, 1998 Order at Docket No. R-00973954. SEF's mission is to promote and invest in energy efficiency, energy conservation, renewable energy and energy education in order to provide opportunities and benefits for electric ratepayers.

4. SEF's address is as follows:

The Sustainable Energy Fund of Central Eastern Pennsylvania
1005 Brookside Road
Allentown, PA 18106

5. The name, address and telephone number of SEF's attorney are:

Kenneth L. Mickens, Esq.
PA Attorney I.D. #31255
316 Yorkshire Drive
Harrisburg, PA 17111
kmickens11@verizon.net (e-mail)
(717) 343-3338 (Telephone)
(717) 657-0938 (FAX)

II. SEF's INTEREST IN THE PROCEEDING

6. SEF's mission, as mentioned above, is to promote and invest in energy efficiency, energy conservation, renewable energy and energy education that provide opportunities and benefits for electric customers. In furtherance of its mission, SEF is engaged in projects that emphasize renewable energy sources, such as solar and wind power development, clean energy technologies, energy conservation and efficiency, as well as energy

education. In this regard, SEF has been certified as a Conservation Services Provider.

7. SEF's mission includes a focus upon reductions in consumption and demand for the non-renewable, non-sustainable production of electricity within the UGI Electric service territory. As such, this mission coincides with the Company's stated efforts in this EE&C Plan proceeding to move to reduce energy consumption by 1% a year on UGI Electric's system through 2014. SEF is pleased that UGI Electric has chosen to file a voluntary EE&C Plan and believes that its participation in this proceeding will help ensure that all relevant issues are properly considered.

8. Accordingly, SEF's intervention is necessary to ensure the development of a complete record on the reasonableness of the proposed EE&C Plan. SEF has a unique perspective - in keeping with its mission to promote and invest in energy efficiency, energy conservation, renewable energy and energy education that provide opportunities and benefits for ratepayers - that cannot be represented by any other party to this proceeding. SEF submits that this unique interest coincides with the public interest and should be considered by the Commission.

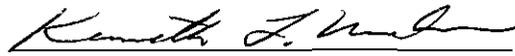
9. Moreover, SEF has experience and expertise in matters of energy efficiency, energy conservation and consumer education such that its

participation in this proceeding would benefit the record.

10. SEF intends to actively participate in this proceeding.

WHEREFORE, for the reasons discussed herein, the Sustainable Energy Fund of Central Eastern Pennsylvania requests that the Pennsylvania Public Utility Commission grant its Petition to Intervene in the above-captioned proceeding and grant it full party status.

Respectfully submitted,



Kenneth L. Mickens, Esq.

PA Attorney I.D. #31255

316 Yorkshire Drive

Harrisburg, PA 17111

E-Mail: kmickens11@verizon.net

Telephone: (717) 343-3338

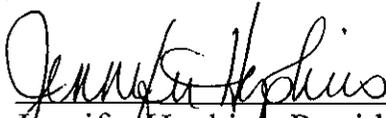
FAX: (717) 657-0938

Attorney for The Sustainable Energy
Fund of Central Eastern Pennsylvania

DATED: December 1, 2010

AFFIDAVIT

I, Jennifer Hopkins, certify that I am the President of the Sustainable Energy Fund of Central Eastern Pennsylvania and that, in said capacity, I am authorized to and do make this Affidavit for it, that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief and that I expect the Sustainable Energy Fund of Central Eastern Pennsylvania to be able to prove the same at any hearing hereof. I understand that false statements made herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsifications to authorities.



Jennifer Hopkins, President
Sustainable Energy Fund of
Central Eastern Pennsylvania

DATED: December 1, 2010

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Petition to Intervene via first-class mail upon the following participants in accordance with the requirements of 52 Pa. Code Section 1.54, *et. seq.* (relating to service by a participant):

Mark C. Morrow, Esquire
Melanie J. Tambolas, Esquire
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406

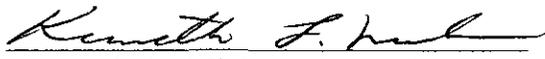
Kevin J. McKeon, Esquire
Tori L. Giesler, Esquire
Hawke McKeon & Sniscak LLP
100 N. Tenth Street
Harrisburg, PA 17101

Irwin A. Popowski, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Johnnie E. Simms, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265

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William R. Lloyd, Jr., Esquire
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101



Kenneth L. Mickens, Esquire

Dated: December 1, 2010